

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

IN RE:

Case No: 20-70099

RICKY ALLEN BOOTH JR

**Pre-Hearing Conference: June 17, 2020 8:30 AM
Confirmation Hearing Date: June 17, 2020 10:00 AM**

Debtor

TRUSTEE'S OBJECTION TO CONFIRMATION

TO THE HONORABLE Harlin D. Hale, U.S. BANKRUPTCY JUDGE:

Now comes Robert B. Wilson, the Standing Chapter 13 Trustee and files this "Trustee's Objection to Confirmation" of the Plan heretofore filed herein by Debtor, and for the same would respectfully show the Court as follows:

Based on information provided by the Debtor, the Trustee is unable to determine if the Plan meets the requirements of 11 U.S.C. § 1322 and 11 U.S.C. § 1325. In this regard the Trustee would show the following:

1. The Debtor filed his Chapter 13 Petition on March 30, 2020 and is considered to be "below median" debtors.
2. The Debtor's plan proposed monthly plan payments of \$1,470.00 due on the 28th of each month. The Debtor is current through May 2020.
3. The Trustee objects to confirmation as the debtor has failed to provide the information required under 11 U.S.C. § 521 (a)(b)(e)(f) and (h). Specifically, the Debtor has failed to file or provide a documentation to verify his social security identity and tax returns for the most recent tax years.
4. The Chapter 13 Plan fails to provide for the claim of the secured and priority creditors in full within the terms of the plan, specifically: the estimated income tax claim of the Internal Revenue Service.
5. The Trustee is unable to determine feasibility until Internal Revenue Service estimated liability claim issues are resolved.
6. Trustee objects to confirmation in accordance with 11 U.S.C. §1325 (a)(6) as the plan may not pay as proposed.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that said Plan not be confirmed unless and until it has been modified to cure all objections set forth herein above,

Respectfully submitted,

By: /s/ MARC MCBEATH
Robert B. Wilson, Bar # 21715000
Chapter 13 Trustee
Marc McBeath, Bar# 13328600
Staff Attorney

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "Trustee's Objection to Confirmation" was served on this date to the following parties per Bankruptcy Rule 3015(f) at the addresses listed below by either electronic service or by US First Class Mail.

Date: June 08, 2020

/s/ MARC MCBEATH

Robert B. Wilson, Bar # 21715000
Chapter 13 Trustee
Marc McBeath, Bar# 13328600
Staff Attorney

Debtor: Ricky Allen Booth Jr, Po Box 41, Holliday, Tx 76366

Attorney: Monte J White, Attorney At Law, 1106 Brook Ave Hamilton Place, Wichita Falls, Tx 76301

Creditor(s): Gail E Stock, Jameson & Dunagan Pc, 5429 Lbj Freeway, Dallas, Tx 75240

Law Offices Of Gregory A Ross, Attorney At Law, 4245 Kemp Blvd Ste 308, Wichita Falls, Tx 76308